

Committee Secretariat
Joint Standing Committee on Treaties
Inquiry into Nuclear Non-proliferation and Disarmament

Submission by the Campaign for International Co-operation and Disarmament to the Inquiry into Nuclear Non-proliferation and Disarmament addressing the five subjects in the terms of reference.

All international treaties involving nuclear non-proliferation and disarmament relate to Australia either directly or indirectly.

- Australia is not a nuclear power, but nuclear weapon capable warships and submarines are allowed into Australian waters and ports.
- United States military bases in Australia can communicate with nuclear capable ships, submarines and land installations.
- Australia has also shown agreement with the nuclear weapon policy of the United States.

These matters jeopardize an independent foreign policy for Australia, make our neighbours suspicious and uneasy, and cloud our relationship with the rest of the world. Australia should take definite steps to increase confidence and trust by:

- Banning the visits to Australia of nuclear weapon capable warships
- By not hosting any nuclear power's military facilities.
- By opposing the attempts to draw the countries of South East Asia into the United States' concept of a 'nuclear umbrella'. Although it is said that a 'nuclear umbrella' would prevent the spread of nuclear weapons, it also seeks to legitimize nuclear weapons.

These moves would also help to achieve a strong Nuclear Free Southern Hemisphere Treaty.

South Korea itself is not a nuclear weapon power, but is under the US nuclear umbrella as well as hosting US nuclear facilities and warships. This combined with US rhetoric against North Korea has no doubt contributed greatly to the withdrawal of the DPRK from the Nuclear Non-proliferation treaty and to their subsequent actions.

Australia must loudly condemn all nuclear weapon installations and activity wherever they may be.

Five nuclear weapon free zones cover nearly two thirds of the countries of the world. These zones provide a basis for the withdrawal of nuclear weapons facilities from these countries as the treaties say that no nuclear weapons may be lawfully stationed in a nuclear weapon free zone. It is desirable that these zones be extended.

It is now widely acknowledged that the possession of nuclear weapons is not a deterrent or a security measure, but increase the danger of a nuclear strike or a nuclear exchange. Although there is no binding treaty outlawing nuclear weapons, the existing nuclear treaties cover all aspects from nuclear proliferation to nuclear disarmament, these treaties have been signed but not ratified by some countries. These treaties should be widely publicised, pointing out the obligations enshrined in them and also pointing out the non-compliance of countries with these international laws.

While treaties may not have been ratified by some countries, they have been internationally negotiated and, if ratified by the required number of countries, should be considered part of international law. Some countries are failing to fulfill their obligations and agreements under these international laws.

The International Court of Justice also ruled, unanimously, that 'the use or threat of use of nuclear weapons would be illegal under international law in all circumstances, the only possible exception being when the very survival of a country was imperiled, but even then it was not certain of legality'. This should also be widely publicized.

The refusal of countries to give an undertaking not to use nuclear weapons in a first strike even against non-nuclear countries increases the danger of proliferation. It is imperative that a binding treaty be negotiated providing unconditional security to non-nuclear countries.

Bringing the Comprehensive Test Ban Treaty into effect would strengthen other treaties.

Australia can make a valuable and positive contribution to the goal of the world nuclear disarmament through its International Commission on Nuclear Proliferation and Disarmament, and through the promotion of its earlier Canberra Commission on the Elimination of Nuclear Weapons. As stated in the 1996 Canberra Commission report 'The proposition that nuclear weapons can be retained in perpetuity and never be used - accidentally or by decision - defies credibility. The only complete defence is the elimination of nuclear weapons and assurance that they will never be produced again.'

It is desirable and essential that these international laws and treaties be taught in the education system. It is also essential and desirable that a Department of Peace (Australian Ministry for Peace) be quickly established for the diplomatic and skillful handling of all matters relating to these international laws and treaties that concern the safety of all.

While the knowledge and technology involved in nuclear weapon production cannot be 'unlearned', the production and possession of nuclear weapons must be made a war crime and a crime against humanity.

Pauline Mitchell
Secretary

--

Campaign for International Co-operation and Disarmament <http://www.cicd.org.au>

C.I.C.D. Peace Centre
peacecentre@cicd.org.au
0396633677

28 January 2009